

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Phillips

H.B. No. 2437

A BILL TO BE ENTITLED

AN ACT

relating to confidentiality of reports and related information for  
a solvency examination of an insurance carrier.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 401.058, Insurance Code, is amended by  
amending Subsection (a) and adding Subsection (c) to read as  
follows:

(a) Except as provided by Subsection (c), a [A] final or  
preliminary examination report and any information obtained during  
an examination are confidential and privileged for all purposes.

This information is [are] not subject to:

(1) disclosure under Chapter 552, Government Code;  
(2) a subpoena, other than a grand jury subpoena; or  
(3) discovery or admissibility in evidence in a civil  
action.

(c) Subsection (a) does not limit the commissioner's  
authority to use a final or preliminary examination report and any  
information obtained during an examination in the furtherance of  
any legal or regulatory action that the commissioner, in the  
commissioner's sole discretion, considers appropriate.

SECTION 2. This Act takes effect immediately if it receives  
a vote of two-thirds of all the members elected to each house, as  
provided by Section 39, Article III, Texas Constitution. If this  
Act does not receive the vote necessary for immediate effect, this

H.B. No. 2437

1 Act takes effect September 1, 2017.

ADOPTED

MAY 15 2017

FLOOR AMENDMENT NO. 1

BY:

*Larry Spaw*  
Secretary of the Senate

*Kary Taylor*

Amend H.B. No. 2437 (senate committee printing) in SECTION  
1 of the bill as follows:

(1) In amended Section 401.058 (a), Insurance Code (page  
1, line 25), strike "Except as provided by Subsection  
(c), a [A]" and substitute "A".

(2) In added Section 401.058(c), Insurance Code (page 1,  
line 36), between "regulatory action" and "that",  
insert "relating to the administration of this code".

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 16, 2017**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2437** by Phillips (Relating to confidentiality of reports and related information for a solvency examination of an insurance carrier.), **As Passed 2nd House**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Insurance Code relating to confidentiality of reports and related information for a solvency examination of an insurance carrier. Based on information provided by the Texas Department of Insurance, this analysis assumes the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 454 Department of Insurance

**LBB Staff:** UP, AG, EH, CP, CL

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 5, 2017**

**TO:** Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2437** by Phillips (Relating to confidentiality of reports and related information for a solvency examination of an insurance carrier.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 454 Department of Insurance

**LBB Staff:** UP, AG, EH, CP, CL

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**March 24, 2017**

**TO:** Honorable Larry Phillips, Chair, House Committee on Insurance

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB2437** by Phillips (Relating to confidentiality of reports and related information for a solvency examination of an insurance carrier.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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